

Amendment No. \_\_\_\_\_

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Signature of Sponsor

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

**AMEND Senate Bill No. 1823**

**House Bill No. 1867\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 14, Chapter 6, is amended by adding the following as a new section:

(a) An employer that requires an employee to provide proof of COVID-19 vaccination or receive the COVID-19 vaccine must grant the employee an exemption to the requirement if:

(1) The employee provides a valid reason for a medical exemption supported by a statement that has been signed and dated by a physician licensed under title 63, chapter 6 or 9; or

(2) The employee attests in writing or by electronic means that the employee has a sincerely held religious belief that prevents the employee from complying with the requirement in accordance with guidance from the federal centers for medicare and medicaid services.

(b) An employer described in subsection (a) shall not:

(1) Take longer than ten (10) business days to grant or deny the employee's request for an exemption;

(2) Deny a request for an exemption without a written statement explaining why the request was denied;

(3) Discharge, threaten to discharge, or reduce the compensation, benefits, or hours of an employee who requests and is granted an exemption; or



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(4) For an exemption based on religious belief pursuant to subdivision (a)(2), require the employee to provide further proof beyond the employee's initial statement to be granted an exemption.

(c) This section does not require an employer to:

(1) Reemploy a former employee terminated prior to the effective date of this act when the employee's request for religious exemption had been denied by the employer, and the denial, combined with the employee's noncompliance with the employer's vaccine mandate policy, resulted in the employee's termination; or

(2) Take or refrain from an action contrary to enforceable requirements imposed by the federal centers for medicare and medicaid services.

(d) A violation of this section is punishable by a civil penalty of ten thousand dollars (\$10,000).

(e)

(1) The attorney general and reporter shall establish a process by which violations of this section may be reported.

(2) The attorney general and reporter may bring an action against an employer that violates this section to enjoin further violations and to recover a civil penalty of ten thousand dollars (\$10,000) per violation.

(3) A civil penalty collected pursuant to this section must be paid into the general fund of the state.

(4) The prevailing party in an action brought under subdivision (e)(2) is entitled to reasonable attorney's fees, court costs, and expenses; but court costs must not be taxed against the attorney general and reporter or this state in actions commenced under this section.

(5) Jurisdiction for an action brought pursuant to this section is in the chancery or circuit court of Williamson County or the chancery court in the county where the employer is located.

(f) Notwithstanding § 14-6-102, an employer is not exempt from this section.

(g) As used in this section:

(1) "Employee" means an employee as of the effective date of this act;  
and

(2) "Valid reason" means a verifiable clinical diagnosis or condition that has been identified in peer-reviewed medical literature or in the clinical guidelines, standards, or recommendations of respected medical organizations or governmental health entities as a contraindication for COVID-19 vaccination.

SECTION 2. Tennessee Code Annotated, Title 14, Chapter 4, is amended by adding the following as a new section:

Notwithstanding title 63 or title 68 to the contrary, a physician licensed under title 63, chapter 6 or 9, who provides an employee with a signed statement that the employee should be exempted from a mandatory COVID-19 vaccination policy and specifies the recognized clinical reason for the exemption, is:

- (1) Acting within the physician's authorized scope of practice;
- (2) Immune from civil liability; and
- (3) Immune from disciplinary action by a health-related board.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1537\***

**House Bill No. 1472**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-11-703, is amended by deleting subsection (c) and substituting:

(c) For a violation of § 39-13-307, § 39-13-308, or § 39-13-309 committed on or after July 1, 2011, or §§ 39-13-502, 39-13-503, 39-13-522, and 39-13-531 committed on or after July 1, 2021, the following items are subject to judicial forfeiture as provided in this part:

(1) When used or intended to be used in connection with such violation:

- (A) Conveyances, including aircraft, motor vehicles, and other vessels;
- (B) Books, records, telecommunication equipment, or computers;
- (C) Money or weapons; and
- (D) Real property;

(2) Everything of value furnished, or intended to be furnished, in exchange for an act in violation of such statutes, including all proceeds traceable to the exchange, and all negotiable instruments and securities used, or intended to be used, to facilitate the violation;

(3) Any property, real or personal, directly or indirectly acquired by or received in violation of such statutes, or as an inducement to violate such statutes, or any property traceable to the proceeds from the violation; and



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(4) Any real property, including any right, title, and interest in the whole of or any part of any lot or tract of land and any property used as an instrumentality in or used in furtherance of such violation.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.